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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/574,430

11/28/2006

Yuuichi Terada

CONDA.00032

7558

22858 7590 01/09/2009  
CARSTENS & CAHOON, LLP  
P O BOX 802334  
DALLAS, TX 75380

EXAMINER

LAM, THANH

ART UNIT

PAPER NUMBER

2834

MAIL DATE

DELIVERY MODE

01/09/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/574,430	<b>Applicant(s)</b> TERADA ET AL.	
	<b>Examiner</b> THANH LAM	<b>Art Unit</b> 2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 20-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9-16 is/are rejected.
- 7) ☒ Claim(s) 7,8 and 17-19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/29/06</u> .  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election without traverse of Species A, figures 1-12, Group I, claims 1-19 in the reply filed on 11/07/2008 is acknowledged.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 9-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Daikoku et al. (US 6,181,046) as submitted Prior art by Applicant.

Regarding claim 1, Daikoku et al. disclose (figures 27-30) a short-circuiting member comprising: a plurality of components, each having an outer circumference and an inner circumference, and each of the plurality of components including: a plurality of outer circumference terminals (60-64a-b) arranged along the outer circumference; a plurality of inner circumference terminals (inner of 60-64a-b) arranged along the inner circumference; and a plurality of connection portions (60-64) , each connecting a corresponding one of the outer circumference terminals and a corresponding one of the inner circumference terminals with the connection portions separated from each other by a predetermined angle in a circumferential direction, wherein: the plurality of outer circumference terminals, the plurality of inner circumference terminals, and the plurality of connection portions are substantially formed along the same plane; the plurality of

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components are laminated (58) in a state in which the connection portions (65) of one of the plurality of components are reversed to the connection portions of another one of the plurality of components; and the outer circumference terminals that are adjacent in a lamination direction are in contact with each other, the inner circumference terminals that are adjacent in the lamination direction are in contact with each other, and the connection portions that are adjacent in the lamination direction are not in contact with each other.

Regarding claim 2, Daikoku et al. disclose (figures 27-30) the adjacent connection portions are bent or curved so as to be spaced from each other.

Regarding claim 3, Daikoku et al. disclose (figures 27-30) each of the plurality of connection portions is thinner than the outer circumference terminals and the inner circumference terminals, the short-circuiting member further including: an insulator arranged between the adjacent connection portions.

Regarding claim 4, Daikoku et al. disclose (figures 27-30) an interval maintaining member for maintaining an interval between the adjacent connection portions.

Regarding claim 5, Daikoku et al. disclose (figures 27-30) the insulator includes a positioning portion for positioning the plurality of components in the circumferential direction.

Regarding claim 6, Daikoku et al. disclose (figures 27-30) each of the plurality of connection portions is formed along an involute curve.

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Regarding claim 9, Daikoku et al. disclose (figures 27-30) a plurality of segments connected to the plurality of outer circumference terminals or the plurality of inner circumference terminals.

Regarding claim 10, Daikoku et al. disclose (the same as claim 1, figures 27-30) a commutator comprising: a commutator main body (9) having a plurality of segments arranged along a circumference; a short-circuiting member including a plurality of components (57), each having an outer circumference and an inner circumference, and each of the plurality of components including: a plurality of outer circumference terminals arranged along the outer circumference; a plurality of inner circumference terminals arranged along the inner circumference; and a plurality of connection portions, each connecting a corresponding one of the outer circumference terminals and a corresponding one of the inner circumference terminals with the connection portions separated from each other by a predetermined angle in a circumferential direction, wherein: the plurality of outer circumference terminals, the plurality of inner circumference terminals, and the plurality of connection portions are substantially formed along the same plane; the plurality of components are laminated in a state in which the connection portions of one of the plurality of components are reversed to the connection portions of another one of the plurality of components; and the outer circumference terminals that are adjacent in a lamination direction are in contact with each other, the inner circumference terminals that are adjacent in the lamination direction are in contact with each other, and the connection portions that are adjacent in the lamination direction are not in contact with each other.

Regarding claim 11, Daikoku et al. disclose (figures 27-30) each of the plurality of outer circumference terminals has a hooking portion (6), projecting from the corresponding one of the outer circumference terminals in a radial direction, for hooking a winding wire.

Regarding claim 12, Daikoku et al. disclose (figures 27-30) the plurality of segments form a substantially cylindrical shape, and the commutator main body is formed at an inner side of the plurality of segments and has an accommodation portion for accommodating the short-circuiting member.

Regarding claim 13, Daikoku et al. disclose (figures 27-30) the short-circuiting member is arranged in the commutator main body in a manner that the short-circuiting member does not project from the commutator main body in an axial direction.

Regarding claim 14, Daikoku et al. disclose (figures 27-30) the commutator main body has a main body insulator (59) having a through-hole through (65) which a rotary shaft is inserted at the inner side of the plurality of segments; and the plurality of inner circumference terminals are arranged outward from the through-hole.

Regarding claim 15, Daikoku et al. disclose (figures 27-30) the main body insulator (59) includes an annular portion formed between the plurality of inner circumference terminals and the through-hole.

Regarding claim 16, Daikoku et al. disclose (figures 27-30) the short-circuiting member is arranged in the commutator main body without projecting from the commutator main body in a radial direction.

***Allowable Subject Matter***

3. Claims 7-8,17-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. see PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THANH LAM whose telephone number is (571)272-2026. The examiner can normally be reached on Mo-Fr, 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Quyen P. Leung can be reached on (571) 272-8188. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Thanh Lam/  
Primary Examiner  
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